IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3505 OF 2006

M/s.Modi Rubber Limited Petitioner
versus
B.Joseph and others Respondents

Mr.Kiran Bagal with Mr.Jayesh Desai for petitioner

CORAM : R.M.S.KHANDEPARKAR, J.

DATE : 08th November 2006

PC :

1. Heard. The petitioner challenges the order dated 25th August 2005 passed by the Industrial Court in complaint filed by the respondents workmen under Item Nos.V, IX and X of Schedule-IV of the MRTU & PULP Act, 1971 alleging the petitioner to have indulged in unfair labour practice under those items. The Industrial Court on detailed analysis of the materials on record and failure to make out any case by the petitioner against the grievance made by the respondent, has passed the impugned order. It was sought to be contended on behalf of the petitioner that the petitioner company is a sick

industrial unit. However, admittedly, no evidence in that regard has been lead nor even a plea to that effect was raised before the Industrial Court. The impugned order having been passed on analysis of the evidence on record and the petitioner having not been able to point out anything contrary to the records, there is absolutely no case made out for interference in the writ jurisdiction. It does not disclose any jurisdictional error. Petition, therefore, is rejected.

(R.M.S.KHANDEPARKAR, J.)